EXECUTIVE SUMMARY - ENFORCEMENT MATTER

DOCKET NO.: 2007-0023-AIR-E TCEQ ID: RN102561925 CASE NO.: 32115 RESPONDENT NAME: The Goodyear Tire & Rubber Company

ORDER TYPE:		
X_1660 AGREED ORDER	FINDINGS AGREED ORDER	FINDINGS ORDER FOLLOWING SOAH HEARING
FINDINGS DEFAULT ORDER	_SHUTDOWN ORDER	IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
AMENDED ORDER	_EMERGENCY ORDER	
CASE TYPE:		-
<u>X</u> AIR	MULTI-MEDIA (check all that apply)	INDUSTRIAL AND HAZARDOUS WASTE
PUBLIC WATER SUPPLY	AGREED ORDERFINDINGS AGREED ORDERFINDINGS OF SOAH HEART NGS DEFAULT ORDERSHUTDOWN ORDERIMMINENT AF ENDANGERN DED ORDEREMERGENCY ORDER PETROLEUM STORAGE TANKSOCCUPATION TO AND ACTIVE WASTEUNDERGRO TO AND ACTIVE WASTEDRY CLEAN THERE VIOLATION(S) OCCURRED: Goodyear Tire & Rubber, Beaumont Chemical Plant, 11241 Interstate in County OF OPERATION: Petrochemical manufacturing RESUSINESS:YesX_No RESIGNIFICANT MATTERS: No complaints were received. There are two additional pending enforcement as a Docket Nos. 2007-0562-AIR and 2005-1671-AIR-E. ESTED PARTIES: No one other than the ED and the Respondent has expressed an interest in this matter. EENTS RECEIVED: The Texas Register comment period expired on June 4, 2007. No comments were received.	_OCCUPATIONAL CERTIFICATION
WATER QUALITY	SEWAGE SLUDGE	UNDERGROUND INJECTION CONTROL
MUNICIPAL SOLID WASTE	RADIOACTIVE WASTE	DRY CLEANER REGISTRATION
TYPE OF OPERATION: Petrochemical manufa SMALL BUSINESS:YesXN OTHER SIGNIFICANT MATTERS: No complocation, Docket Nos. 2007-0562-AIR and 2005- INTERESTED PARTIES: No one other than the COMMENTS RECEIVED: The Texas Register CONTACTS AND MAILING LIST: TCEQ Attorney/SEP Coordinator: Note of the Coordinator: May a Soest, Enforcement Division, MC Respondent: Mr. Bradley E. Ioerger, P 6003 Mr. Charlie Mingo, Environmental Sec	plaints were received. There are two additional pend 1671-AIR-E. The ED and the Respondent has expressed an interest in comment period expired on June 4, 2007. No comment June 6. Trina Grieco, Enforcement Division, Enforcement 219, (512) 239-0468 lant Manager, The Goodyear Tire and Rubber Company tion Head, The Goodyear Tire and Rubber Company	ling enforcement actions regarding this facility in this matter. ments were received. Team 5, MC R-13, (210) 403-4006; Mr. David bany, P.O. Box 26003, Beaumont, Texas 77720-

RESPONDENT NAME: The Goodyear Tire & Rubber Company

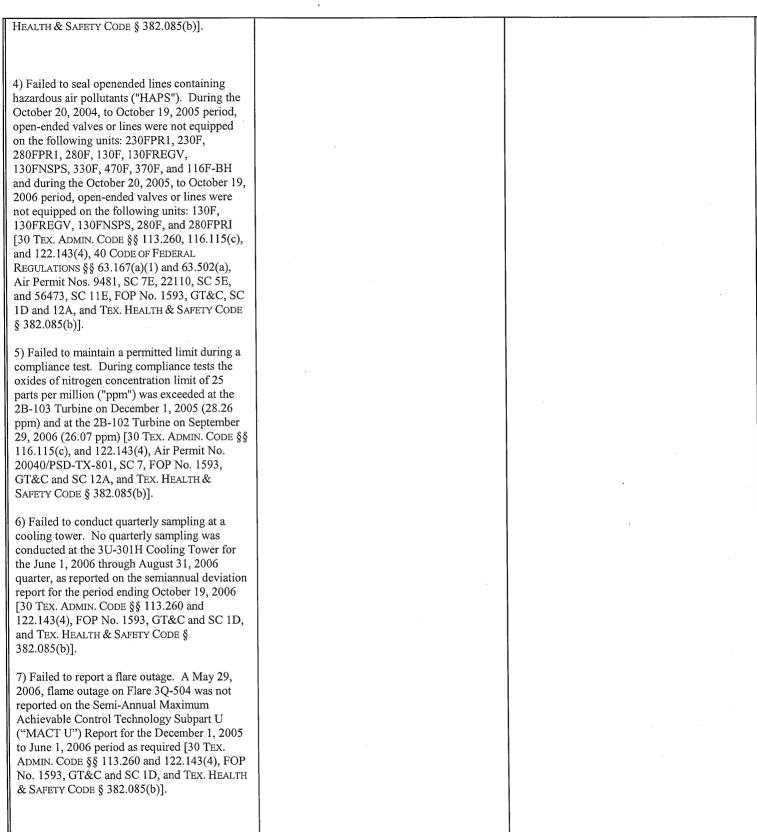
DOCKET NO.: 2007-0023-AIR-E

VIOLATION SUMMARY CHART: CORRECTIVE ACTIONS PENALTY CONSIDERATIONS VIOLATION INFORMATION TAKEN/REQUIRED 1000 Type of Investigation: Total Assessed: \$102,564 **Corrective Actions Taken:** ___ Complaint ___ Routine 1) The Executive Director recognizes that the Total Deferred: \$20,512 Enforcement Follow-up Respondent has implemented the following X Expedited Settlement X Records Review corrective measures at the Plant: __Financial Inability to Pay Date of Complaint Relating to this Case: a. Documentation of removal of extraneous equipment and the rewriting of monthly analysis None SEP Conditional Offset: \$41,026 and sampling procedures to ensure the proper Date of Investigation Relating to this Case: NHV for Flares 3Q-502, 3Q-503, and 3Q-504 Total Paid to General Revenue: \$41,026 was submitted on May 18, 2005; December 1, 2006 Site Compliance History Classification b. Properly plugged approximately 69 open-Date of NOE Relating to this Case: December High X Average Poor ended lines during the October 20, 2004 to 20, 2006 (NOE) October 19, 2006 period; and **Person Compliance History Classification** Background Facts: This was a routine record High X Average Poor review. Seven violations were documented. c. Successfully re-tested Turbines 2B-103 and 2B-102 on April 20, 2006, and November 14, Major Source: X Yes No 2006, respectively. The case was remanded from the September 5, 2007 Commission Agenda for corrections to the Applicable Penalty Policy: September 2002 **Ordering Provisions:** Order. The case is not ready for consideration. 2) The Order will require the Respondent to **AIR** implement and complete a Supplemental Environmental Project (SEP) (See SEP 1) Failed to submit the Annual Compliance Attachment A). Certification ("ACC") on time. On November 30, 2006, Goodyear submitted the ACC for the THARMS 3) The Order will require the Respondent to: October 20,2005 to October 19, 2006 reporting period 12 days late [30 Tex. ADMIN. CODE §§ 4.19.1 (4.19.4) (4.19.1) (4.19.1) (4.19.1) (4.19.1) (4.19.1) (4.19.1) 122.143(4) and 122.146(2), Federal Operating a. Within 60 days after the effective date of this Permit ("FOP") No. 1593, General Terms and Agreed Order: Conditions ("GT&C") and TEX. HEALTH & SAFETY CODE § 382.085(b)]. i. Complete training to help ensure timely ACC reporting; 2) Failed to operate a flare with a net heating ii. Complete training to ensure value ("NHV") of 300 British Thermal Units implementing procedures for cooling to ("BTU") per standard cubic foot ("scf") or daily and quarterly sampling and greater. The NHV was below 300 BTU/scf on monitoring; and November 30, 2004, and February 28, 2005, for Flare 3Q-503; on February 1, 2005, for Flare iii. Submit correction for the 3Q-502; and on March 25, 2005, for Flare 3Q-December 1 through June 1, 2006 504 [30 Tex. ADMIN. CODE §§ 113.260, MACT U report. 116.115(c), and 122.143(4), Air Permit Nos. 1040, SC 3, 9481, SC 5A, and 22110, SC 4A, b. Within 75 days after the effective date of this FOP No. 1593, GT&C and SC 12A, and TEX. Agreed Order, submit written certification and HEALTH & SAFETY CODE § 382.085(b)]. include detailed supporting documentation including photographs, receipts, and/or other 3) Failed to sample the main cooling tower records to demonstrate compliance with daily. For three days from January 18 to Ordering Provision Nos. 3.a.i through 3.a.iii. January 20, 2005, Goodyear failed to monitor main cooling tower EPN 116CT-MAIN [30 TEX. ADMIN. CODE §§ 116.115(c), and

122.143(4), Air Permit No. 56473, SC 3, FOP No. 1593, GT&C and SC 12A, and TBX.

RESPONDENT NAME: The Goodyear Tire & Rubber Company

DOCKET NO.: 2007-0023-AIR-E



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Attachment A Docket Number: 2007-0023-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent: The Goodyear Tire & Rubber Company

Penalty Amount: Eighty-Two Thousand Fifty-Two Dollars (\$82,052)

SEP Amount: Forty-One Thousand Twenty-Six Dollars (\$41,026)

Type of SEP: Pre-approved

Third-Party Recipient: Southeast Texas Regional Planning Commission ("SETRPC")

West Port Arthur Home Energy Efficiency Program

Location of SEP: Jefferson County

The Texas Commission on Environmental Quality ("TCEQ") agrees to offset a portion of the administrative Penalty Amount assessed in this Agreed Order for the Respondent to contribute to a Supplemental Environmental Project ("SEP"). The offset is equal to the SEP Amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment A.

1. Project Description

A. Project

The Respondent shall contribute the SEP Amount to the Third-Party Recipient pursuant to the agreement between the Third-Party Recipient and the TCEQ. Specifically, the contribution will be used in accordance with the Supplemental Environmental Project Agreement between SETRPC and the Texas Commission on Environmental Quality for the *West Port Arthur Home Energy Efficiency Program* in Jefferson County. The SETRPC shall use the funds to conduct home energy audits and to assist low income residents in the West Port Arthur area by weatherizing their homes, which will improve their homes' energy efficiency. SEP monies will be used to pay for the cost of caulking and insulating the homes and appliances, as well as for replacing heating and cooling systems and major appliances with new, energy efficient equipment. All dollars contributed will be used solely for the direct cost of the project, and no portion will be spent on administrative costs. The SEP will be done in accordance with all federal, state and local environmental laws and regulations.

The Respondent certifies that there is no prior commitment to do this project and that it is being performed solely in an effort to settle this enforcement action.

B. Environmental Benefit

Implementation of this project will reduce residential fuel and electricity usage for heating and cooling. These reductions, in turn, will reduce emissions of particulate matter (PM), volatile organic compounds (VOC), and nitrogen oxides (NOx) associated with the combustion of fuel and generation of electricity.

The Goodyear Tire & Rubber Company Agreed Order – Attachment A

C. <u>Minimum Expenditure</u>

The Respondent shall contribute at least the SEP Amount to the Third-Party Recipient and comply with all other provisions of this SEP.

2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, the Respondent shall contribute the SEP Amount to the Third-Party Recipient. The Respondent shall mail the contribution, with a copy of the Agreed Order, to:

Bob Dickinson Director, Transportation and Environmental Resources South East Texas Regional Planning Commission 2210 Eastex Freeway Beaumont, TX 77703

3. Records and Reporting

Concurrent with the payment of the SEP Amount, the Respondent shall provide the TCEQ SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP Amount to the Third-Party Recipient. The Respondent shall mail a copy of the check and transmittal letter to:

Enforcement Division Attention: SEP Coordinator, MC 219 Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087

4. Failure to Fully Perform

If the Respondent does not perform its obligations under this SEP in any way, including full payment of the SEP Amount and submittal of the required reporting described in Section 3 above, the Executive Director may require immediate payment of all or part of the SEP Amount.

In the event of incomplete performance, the Respondent shall submit a check for any remaining amount due with the notation "SEP Refund" and the docket number of the case, and shall send it to "Texas Commission on Environmental Quality" and mailed to:

Texas Commission on Environmental Quality Attention: Financial Administration Division Revenues, MC 214 P.O. Box 13088 Austin, Texas 78711-3088 The Goodyear Tire & Rubber Company Agreed Order – Attachment A

5. Publicity

Any public statements concerning this SEP made by or on behalf of the Respondent must include a clear statement that the project was performed as part of the settlement of an enforcement action brought by the TCEQ. Such statements include advertising, public relations, and press releases.

6. Clean Texas Program

The Respondent shall not include this SEP in any application made to TCEQ under the "Clean Texas" (or any successor) program(s). Similarly, the Respondent may not seek recognition for this contribution in any other state or federal regulatory program.

7. Other SEPs by TCEQ or Other Agencies

The SEP identified in this Agreed Order has not been, and shall not be, included as a SEP for the Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.

.	Pe	enalty Ca	alculatior	n Worksheet	(PCW)	
Policy Revision 2 (on December 8, 2006
TCEQ DATES Assign	ed 3-Jan-2007					
	S-Apr-2007	Screening	4-Jan-2007	EPA Due 16-Sep-2	2007	
RESPONDENT/FACIL	ITY INFORMATIO	N				
Responde	ent The Goodyear	Tire & Rubber	Company			
	No. RN102561925	i				
Facility/Site Regi	ion 10-Beaumont			Major/Minor So	urce Major	
CASE INFORMATION						
Enf./Case ID I				No. of Violat		
	No. 2007-0023-All	R-E			Type 1660	
Media Program					nator Trina Grieco	0
Multi-Me		-T &O TI	N/I =		eam EnforcementTeam	0
Admin. Penalty	/ \$ Limit Minimun	n\$0l	Maximum	\$10,000		
		Penalt	ty Calcula	tion Section		
TOTAL BASE PEN	IALTY (Sum of	violation b	ase penaltie	s)	Subtotal 1	\$39,600
ADJUSTMENTS (+			selts (Cubtotal 1) bu	the indicated percentage		
Subtotals 2-7 are o	and the second contract of the second contrac	tne Total Base Pen		the indicated percentage. Enhancement	Subtotals 2, 3, & 7	\$62,964
Compliance r						
No	toe			ree same-or-similar NC at were self-reported.	JVS,	
	anu iz	Other NOVS, in	icidaling eight th	at were senareported.		
Culpability	No		0%	Enhancement	Subtotal 4	\$0
. No	otes Re	espondent does	s not meet the c	ulpability criteria.		
Good Faith E	ffort to Comply		0%	Reduction	Subtotal 5	\$0
	Before NOV	NOV to EDPRE	P/Settlement Offer			
Extraordi	inary					
Ordi						
	N/A X	(mark with x)				
No	otes The	Respondent do	es not meet the	e good faith criteria.		
			0%	Enhancement*	Subtotal 6	\$0
	Total EB Amoun			I at the Total EB \$ Amount		
App	orox. Cost of Compliand	ce \$10,000				
SUM OF SUBTOT	ΔI S 1_7				Final Subtotal	\$102,564
SUM OF SUBTO	ALS 1-1				, mar Gubtotar	, ,
OTHER FACTORS	S AS JUSTICE	MAY REQU	IRE		Adjustment	\$0
Reduces or enhances the Fi				v; e.g30 for -30%.)		
Notes						
***					al Danaldur Amanust	¢402 E64
,				Fin	al Penalty Amount	\$102,564
STATUTORY LIM	IT AD III GTMEI	NT		Einal	Assessed Penalty	\$102,564
		D. Maria P. State Control of the Con	NAMES OF TAXABLE PARTY OF THE PARTY OF TAXABLE PARTY.			+ ,

Adjustment

-\$20,512

\$82,052

DEFERRAL

Reduces the Final Assessed Penalty by the indicted percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes

PAYABLE PENALTY

Deferral offered for expedited settlement.

Screening Date 4-Jan-2007

Docket No. 2007-0023-AIR-E

Respondent The Goodyear Tire & Rubber Company

Case ID No. 32115

Reg. Ent. Reference No. RN102561925 Media [Statute] Air Quality Enf. Coordinator Trina Grieco

Policy Revision 2 (September 2002) PCW Revision December 8, 2006

- AND CONTRACTOR OF THE CONTRA	hiiiimaan	Compliance History Worksheet		da income	5 9 900 000 000 000 000
Comp	oliance History Component	Site Enhancement (Subtotal 2) Number of	Enter Number Here	Adjust.	
	NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	3	15%	l. A.,
		Other written NOVs	12	24%]
		Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	6	120%	
	Orders	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission		0%	
4 1 .	Judgments	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	0	0%	
	and Consent Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government		0%	اد سرگ
	Convictions	Any criminal convictions of this state or the federal government (number of counts)	0 '	0%]
	Emissions	Chronic excessive emissions events (number of events)	0	0%	
	Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	0	0%	
	- 10 - 44 - 10	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0.03	0%	
1.		Plea	se Enter Yes or No	23 (22)	
		Environmental management systems in place for one year or more	No	0%	
	Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%	
	Other	Participation in a voluntary pollution reduction program	No	0%	1
		Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%	
		Adjustment F	Percentage (S	ubtotal 2)	159%
Repe	at Violator (Su	btotal 3)			40.646
	No	Adjustment F	ercentage (S	ubtotal 3)	0%
Comp	oliance History	Person Classification (Subtotal 7)			
	Average Po	erformer Adjustment F	ercentage (S	ubtotal 7)	0%
Comp	pliance History	Summary			
	Compliance History Notes	Enhancement is due to six 1660 orders, three same-or-similar NOVs, and 12 other NOVs, that were self-reported.	ncluding eight	en in in	. • 5 - 22 -
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Scre	eening Date 4-Jan-20	07	Dock	et No. 2007-0023-AIR-E	PCW
\$ \$100 PERSONAL CONTROL OF \$100 PERSONAL PROPERTY AND A SECURITION OF SE	Respondent The God	dyear Tire & Rubb	er Company		Revision 2 (September 2002)
	Case ID No. 32115			PCV	/ Revision December 8, 2006
	ference No. RN1025				
	dia [Statute] Air Quali				
Bullet B. A. School and Company of the Company o	Coordinator Trina Gr	eco			
Vio	lation Number 1				=1
	Rule Cite(s) 30 Tex. No. 15	Admin. Code §§ 12 93, General Terms	22.143(4) and 122 and Conditions ("0 382.08	GT&C") and Tex. Health & Safety Code §)
Violatio	pn Description Failed 30, 200	o submit the Annu 6, Goodyear subm	al Compliance Cer itted the ACC for t reporting period	tification ("ACC") on time. On November he October 20, 2005 to October 19, 2006 12 days late.	
**************************************	b			Base Penalt	y \$10,000
>> Environmenta	II, Property and Hur	nan Health Ma	trix		
		Harm			***************************************
	Release Majo	r Moderate	Minor		
OR	Actual			Policy Revision PCW Revision PCW Revision 96(2), Federal Operating Permit ("FOP") 80C") and Tex. Health & Safety Code § 9 1	
	Potential			Percent 0%	
>>Programmatic	Matrix				
>>Programmatic	Falsification Major	or Moderate	Minor		
	r aisincation way	Moderate	Willion	Percent 25%	
Matrix		100	% of the rule is no	t met.	
Notes					
				Adjustment \$7,50	0
					00.500
					\$2,500
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Violation Events					
	Number of Violation E	vents 1	1	12 Number of violation days	
	Number of Violation E	, chio		Sant Comment	
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	mont	· · · · · · · · · · · · · · · · · · ·	1		
***************************************	mark only one quart	erly		Violation Base Penal	ty \$2,500
	^{with an x} semiar	nual			•
	annı	ıal			
***	single (vent x			
		One sir	ngle event is recon	nmended.	
Economic Benef	fit (EB) for this viola	ntion		Statutory Limit Test	
			#40 ¹	Violation Final Penalty Tot	al \$6,475
***************************************	Estimated EB An	~~~~~	\$40	_	
		•	This violation Fin	al Assessed Penalty (adjusted for limit	s) \$6,475

	E	conomic E	Benefit W	lorksh	reet		
Respondent	The Goodyear	Tire & Rubber Com	pany				
Case ID No.	32115						
Reg. Ent. Reference No.	RN102561925						
	Air Quality						Years of
Violation No.						Percent Interest	Depreciation ·
Violation No.	ı						
						5.0	15
	Item Cost	Date Required	Final Date	Yrs I	nterest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$						
				***************************************			į.
Delayed Costs			· · · · · · · · · · · · · · · · · · ·				
Equipment				1 o.o 1	\$0	\$0	\$0
Buildings				0,0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling	\$500	18-Nov-2005	1-Jul-2007	1.6	\$40	n/a	\$40
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs	010000000000000000000000000000000000000	882		0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0
Notes for DELAYED costs	Estimated cos					e for the ACC repor	t; the final date
Notes for DELATED Costs			is the estimated	date of trai	ning completion		
Avoided Costs	ANN	UALIZE [1] avoide	d costs before a	entering ite	m (except for o	one-time avoided o	
Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$ 0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$ 0	\$0
1.44							
Notes to AVOIDED and							
Notes for AVOIDED costs							
			1 '				
Approx. Cost of Compliance		\$500		800	TOTAL		\$40
Approx. Cost of Compliance		φουσ		62.0	TOTAL	L	ΨτΟ
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Screening Date	4-Jan-2007		Docket No. 2007-0023-AIR-E		PCW
Respondent	The Goodyear T	re & Rubber Company		Policy Revi	sion 2 (September 2002)
Case ID No.				PCW Re	vision December 8, 2006
Reg. Ent. Reference No.					
Media [Statute]					
Enf. Coordinator					
Violation Number	L		-		
Kule Cite(s)	30 Tex. Admin. 6 3, 9481, SC	5A, and 22110, SC 4A, F	15(c), and 122.143(4), Air Permit Nos FOP No. 1593, GT&C and SC 12A, a sty Code § 382.085(b)	s. 1040, SC and Tex.	
Violation Description	("BTU") per sta November 30, 2	ndard cubic foot ("scf") o	ting value ("NHV") of 300 British Thei or greater. The NHV was below 300 E 2005, for Flare 3Q-503; on February 1 arch 25, 2005, for Flare 3Q-504.	3TU/scf on	The second secon
			Ва	se Penalty	\$10,000
>> Environmental, Property	and Human He				
Release	Major N	Harm Moderate Minor			
OR Actua		Woderate Willion	1		
Potentia		X	Percent 10%		

>>Programmatic Matrix					***************************************
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	<u> </u>	<u> </u>	Percent 070	<u>"</u>	
Human heal	th or the environn	nent will or could be exp	osed to insignificant amounts of pollu	tants which	
Matrix Notes would not ex	ceed levels that a	re protective of human I	nealth or the environmental receptors	as a result	
7,0,00		of the viola	ition.		
			Adjustment	\$9,000	
			/10,000	+-,,	
				<u> </u>	\$1,000
Violation Events					
Violation Events					
Number of V	olation Events	4	4 Number of violation d	ays	
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one control of the co	daily				
	monthly		Violation Ba	see Penalty	\$4,000
mark only one with an x	quarterly semiannual		Violation Be	ase i charty	Ţ.,,
	annual				
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T					
		Formalizate avanta an			
		Four single events an	s recommenueu.		
Economic Benefit (EB) for the	nie violation		Statutory Limit T	est	
		64			÷10,360
Estimate	d EB Amount	\$1	Violation Final Po	onally Total	ψ10,300
		This violation	on Final Assessed Penalty (adjuste	d for limits)	\$10,360

	E	conomic E	Benefit W	orks	heet	trake to the state of	
Respondent	The Goodyear	Tire & Rubber Com	pany			north a Nagarada	7. 5 1 2
Case ID No.					:	a No. of the swi	
Reg. Ent. Reference No.	RN102561925						annountematichemelumointra
	Air Quality					Percent Interest	Years of
Violation No.	2						Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$						
/					1 2	t vitaji i	
Delayed Costs							
Equipment	\$500	25-Mar-2005	18-May-2005	0,1	\$0	\$5,	\$5
Buildings				0,0	\$0 \$0	\$0 \$0	\$0 \$0
Other (as needed)				0.0	\$0 \$0	\$0 \$0	\$0
Engineering/construction				0.0	\$0 \$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0 ·	n/a	\$0
Remediation/Disposal		9.83		0.0	\$0	n/a	\$0
Permit Costs				0.0	\$ 0	n/a	\$0
Other (as needed)	\$500	30-Nov-2004	18-May-2005	0.5	\$12	n/a	\$12
The second	Estimated c	osts of removal of e	xtraneous equipr	nent and	implementing cor	rective procedures t	o ensure the
Notes for DELAYED costs						e is the date complia	
				ocument		Alban Markey	
	ANIN	IIAI IZE EKLavalda	d aasta bafara a	ntoring	Itom /avaant for	one-time avoided c	0.0000000000000000000000000000000000000
Avoided Costs Disposal	ANN	UALIZE [1] avoide	u costs perore e	0.0	\$0	\$0	\$0
Personnel				0.0	\$O	\$0	\$0
Inspection/Reporting/Sampling	-			0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0,0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Notes for AVOIDED costs							
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Approx. Cost of Compliance	L	\$1,000			TOTAL		\$17
1							71

400 Million (1905) 1 C. C. Carlotte (1905) 1	ening Date 4 Respondent T		r Tiro & Dubbo	••••	Docket No	2007-0023-AIR-E	Policy Povis	PCW ion 2 (September 2002)
	Case ID No. 3		The & Rubbe	Company			•	ision December 8, 2006
Reg. Ent. Rei	PARK (AMOUNTS) (AMOUNTS) (AMOUNTS)		5					
	lia [Statute] A							***************************************
	Coordinator ⊺							***************************************
Viol	ation Number Rule Cite(s)	3			818040000000000			,
	Kule Cite(s)	30 Tex. Admi No. 159	in. Code §§ 11 93, GT&C and	6.115(c), and SC 12A, and	122.143(4 Tex, Healt), Air Permit No. 5647 h & Safety Code § 38	3, SC 3, FOP 2.085(b)	
Violatio	n Description	Failed to s January 20,	sample the mai 2005, Goodye	in cooling tow ear failed to m	er daily. Fo	or three days from Jai a cooling tower EPN 1	nuary 18 to 16CT-MAIN.	
	<u>L</u>	E					Base Penalty	\$10,000
>> Environmenta	l, Property an	d Human	Health Matr Harm	ix				
OR	Release Actual	Major	Moderate	Minor	1			***************************************
UK	Potential			X		Percent 1	0%]	***************************************
>>Programmatic	Matrix							
	Falsification	Major 	Moderate	Minor		Percent	0%	
Matrix Notes					ealth or the	nificant amounts of po environmental recept		
						Adjustment	\$9,000	
								\$1,000
Violation Events	2000							
	Number of Viola	ation Events	3		3	Number of violation	n days	
		daily						
	mark only one with an x	monthly quarterly				Violation	Base Penalty	\$3,000
		semiannual annual single event	X					
		9	[6058828388888888888	
			Three sing	gle events are	recommer	nded.		
Economic Benefi	it (EB) for this	violation				Statutory Limi	t Test	
unner representa	Estimated	EB Amount		\$61]	Violation Fina	l Penalty Total	\$7,770
			٦	This violation	n Final Ass	essed Penalty (adju	sted for limits)	\$7,770

	E	conomic E	Benefit W	orksh	eet		
Respondent	The Goodyear	Tire & Rubber Com	pany		1500 0		
Case ID No.	32115					and the	
Reg. Ent. Reference No.	RN102561925						
	Air Quality				\$15,1,50	Percent Interest	Years of
Violation No.	3		•		A+13	1 elcent interest	Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs Inf	terest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$						
				1 1			2,200.000000000000000000000000000000000
Delayed Costs							
Equipment				0.0	\$0	\$0	\$0
Buildings				0,0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land	Service Service Control of the Contr	(0.00 p. 1.20 p	rdinis i i Sündyis Çəridiğə mi	0,0	\$0	n/a	\$0
Record Keeping System	200000000000000000000000000000000000000			0,0	\$0	n/a	\$0
Training/Sampling	\$500	18-Jan-2005	1-Jul-2007	2.4	\$61	n/a	\$61
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0 \$0	n/a n/a	\$0 \$0
Other (as needed)		1		J 0.0 J	ΨΟ	1110	
Notes for DELAYED costs Avoided Costs		missed monitori	ng; the final date	is the estima	ated date of tra	ite required was the aining completion.	100
Disposal				0.0	\$0	\$0	\$0
Personnel				0,0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
	200003350000000000000000000000000000000			0,0	\$0	\$0	\$0
Financial Assurance [2]			STATE OF THE PARTY	THE SECRET PROPERTY OF THE PRO	\$0	\$0	The second secon
Financial Assurance [2] ONE-TIME avoided costs [3]				0.0			\$0
				0.0	\$0 \$0	\$0	\$0 \$0
ONE-TIME avoided costs [3]							
ONE-TIME avoided costs [3] Other (as needed)							
ONE-TIME avoided costs [3]							
ONE-TIME avoided costs [3] Other (as needed)							
ONE-TIME avoided costs [3] Other (as needed)							
ONE-TIME avoided costs [3] Other (as needed)		\$500					

My-roll (\$1500 for the place of the

Screening Dat	e 4-Jan-2007	Docket	t No. 2007-0023-AIR-E	PCW
Responder	nt The Goodyear Tire	& Rubber Company		Policy Revision 2 (September 2002)
Case ID No	FOR 7			PCW Revision December 8, 2006
Reg. Ent. Reference No				
Media [Statute				
Enf. Coordinate	**************************************	min. Code §§ 113.260, 116.115(c), and 122.143(4), 40 Code of Federal § 63.167(a)(1) and 63.502(a), Air Permit Nos. 9481, SC 7E, 22110, SC 5E, C 11E, FOP No. 1593, GT&C, SC 1D and 12A, and Tex. Health & Safety Code § 382.085(b) all open-ended lines containing hazardous air pollutants ("HAPS"). During 10, 2004, to October 19, 2005 period, open-ended valves or lines were not the following units: 230FPR1, 230F, 280FPR1, 280F, 130F, 130FREGV, 30F, 470F, 370F, and 116F-BH. During the October 20, 2005, to October 10d, open-ended valves or lines were not equipped on the following units: F, 130FREGV, 130FNSPS, 280F, and 280FPRI. See Table One.		
Violation Numb				24000070000
Rule Cite(Regulations §§ 63	.167(a)(1) and 63.502(a), Air P 1E, FOP No. 1593, GT&C, SC	ermit Nos. 9481, SC 7E, 22110 1D and 12A, and Tex. Health &	SC 5E,
Violation Descriptio	the October 20, 2 equipped on the 130FNSPS, 330F, 19, 2006 period,	004, to October 19, 2005 period following units: 230FPR1, 230, 470F, 370F, and 116F-BH. Copen-ended valves or lines we	d, open-ended valves or lines w F, 280FPR1, 280F, 130F, 130Fl During the October 20, 2005, to are not equipped on the following	REGV, October
			Base	Penalty \$10,000
>> Environmental, Property		***************************************		
Relea: OR Actu Potent	se Major Mo	oderate Minor	Percent 25%	
1 Otonic				
>>Programmatic Matrix				
Falsificatio	on Major Mo	oderate Minor	Percent 0%	
		ctive of human health or the er		
			Adjustment	\$7,500
				\$2,500
Violation Events				
Number of	Violation Events	8 17	Number of violation days	
mark only or with an x	semiannual annual	×	Violation Base	Penalty \$20,000
	single event	· · · · · · · · · · · · · · · · · · ·	• .	
	E	ight quarterly events are recon	nmended.	-
Economic Benefit (EB) for	this violation		Statutory Limit Tes	t
Estima	ted EB Amount	\$687	Violation Final Pena	ity Total \$51,800
***************************************		This violation Final	Assessed Penalty (adjusted fo	or limits) \$51,800
		THE TICHUOTI I MAI	(aujuotou ie	, , , , , , , , , , , , , , , , , , , ,

	E	conomic E	3enefit W	'orks	heet			
		Tire & Rubber Com	ipany	1550				
Case ID No.						rate of the same		
Reg. Ent. Reference No.					18.00			
	Air Quality				,	Percent Interest	Years of	
Violation No.	4		***************************************				Depreciation	
						5.0	15	
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount	
ltem Description								
nem bescription	IVO COMITIAS OF S							l l
Delayed Costs								
Equipment	\$5,000	27-Oct-2004	13-Oct-2006	2.0	\$33	\$654	\$687	
Buildings	\$0,000	21 001 2004	. 5 00. 2000	0.0	\$0	\$0	\$0	
Other (as needed)				0.0	\$0	\$0	\$0	
Engineering/construction				0.0	\$0	\$0	\$0	
Land				0,0	\$0	n/a	\$0	
Record Keeping System				0.0	\$0	n/a	\$0	
Training/Sampling				0.0	\$0	n/a	\$0 ' '	
Remediation/Disposal				0,0	\$0	n/a	\$0	
Permit Costs				0.0	\$0 \$0	n/a n/a	\$0 \$0	
Other (as needed)				JI U.U	ΦU	11/4	30	1
	Fetimeted a	octe of replacing mi	issing caps, plugs	and fla		was divised the detail.	A 400 CO.	
1								
Notes for DELAYED costs		as found; the final d	ate was the date	the last o	pen-ended line w			
Notes for DELAYED costs			ate was the date	the last o				
	ended line w	as found; the final d	ate was the date 2004 through (the last o October 1	ppen-ended line w 19, 2006 periods.	as plugged during t	he October 20,	* 1 * 55
Avoided Costs	ended line w		ate was the date 2004 through (the last of the la	ppen-ended line w 19, 2006 periods, Item (except for	as plugged during to	he October 20, costs)	
Avoided Costs Disposal	ended line w	as found; the final d	ate was the date 2004 through (the last o October 1	ppen-ended line w 19, 2006 periods.	as plugged during t	he October 20,	
Avoided Costs Disposal Personnel	ended line w	as found; the final d	ate was the date 2004 through (the last of October 1 Interling	ppen-ended line w 19, 2006 periods, litem (except for \$0	as plugged during to one-time avoided of \$0	costs) \$0 \$0 \$0	Section of the sectio
Avoided Costs Disposal	ended line w	as found; the final d	ate was the date 2004 through (the last of Dotober 1	ppen-ended line w 19, 2006 periods, Item (except for \$0 \$0	as plugged during to one-time avoided (\$0 \$0	costs) \$0 \$0 \$0 \$0 \$0	COLUMN TO COLUMN TO THE COLUMN
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling	ended line w	as found; the final d	ate was the date 2004 through (ntering 0.0 0.0 0.0 0.0 0.0 0.0 0.0	pen-ended line w 19, 2006 periods, ltem (except for \$0 \$0 \$0 \$0 \$0	as plugged during to some time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0	costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0	COLORISM COL
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplles/sequipment Financial Assurance [2] ONE-TIME avoided costs [3]	ended line w	as found; the final d	ate was the date 2004 through (ntering 0.0	pen-ended line w 19, 2006 periods. Item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0	as plugged during to specific according to the specific according to t	ne October 20, costs) \$0 \$0 \$0 \$0 \$0 \$0	
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance [2]	ended line w	as found; the final d	ate was the date 2004 through (ntering 0.0 0.0 0.0 0.0 0.0 0.0 0.0	pen-ended line w 19, 2006 periods, ltem (except for \$0 \$0 \$0 \$0 \$0	as plugged during to some time avoided \$0 \$0 \$0 \$0 \$0 \$0 \$0	costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0	
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplles/sequipment Financial Assurance [2] ONE-TIME avoided costs [3]	ended line w	as found; the final d	ate was the date 2004 through (ntering 0.0	pen-ended line w 19, 2006 periods. Item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0	as plugged during to specific according to the specific according to t	ne October 20, Society	
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	ended line w	as found; the final d	ate was the date 2004 through (ntering 0.0	pen-ended line w 19, 2006 periods. Item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0	as plugged during to specific according to the specific according to t	ne October 20, Society	
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplles/sequipment Financial Assurance [2] ONE-TIME avoided costs [3]	ended line w	as found; the final d	ate was the date 2004 through (ntering 0.0	pen-ended line w 19, 2006 periods. Item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0	as plugged during to specific according to the specific according to t	ne October 20, Society	enginger Longer
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	ended line w	as found; the final d	ate was the date 2004 through (ntering 0.0	pen-ended line w 19, 2006 periods. Item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0	as plugged during to specific according to the specific according to t	ne October 20, Society	
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	ended line w	as found; the final d	ate was the date 2004 through (ntering 0.0	pen-ended line w 19, 2006 periods. Item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0	as plugged during to specific according to the specific according to t	ne October 20, Society	
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	ended line w	as found; the final d	ate was the date 2004 through (ntering 0.0	pen-ended line w 19, 2006 periods. Item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0	as plugged during to specific according to the specific according to t	ne October 20, Society	

PCW	4-Jan-2007 Docket No. 2007-0023-AIR-E	a de la ser al Companya de Caración de Companya de Caración de Car
n 2 (September 200.		
ion December 8, 200		Case ID N Reg. Ent. Reference N
		Media [Statu
		Enf. Coordinat
		Violation Num
) 30 Tex. Admin. Code §§ 116.115(c), and 122.143(4), Air Permit No. 20040/PSD-TX-801,	Rule Cite
	SC 7, FOP No. 1593, GT&C and SC 12A, and Tex. Health & Safety Code § 382.085(b)	
		•
	Failed to maintain a permitted limit during a compliance test. During compliance tests the oxides of nitrogen concentration limit of 25 parts per million ("ppm") was exceeded at the 2B-103 Turbine on December 1, 2005 (28.26 ppm) and at the 2B-102 Turbine on September 29, 2006 (26.07 ppm).	Violation Descript
\$10,00	Base Penalty	
	and Human Health Matrix	Environmental, Propert
	Harm e Major Moderate Minor	Rele
		OR Ac
* .	Percent 25%	Poter
		Programmatic Matrix
		Falsificat
	Percent 0%	
	alth or the environment has been exposed to insignificant amounts of pollutants which do	Human
	levels that are protective of human health or the environmental receptors as a result of the	Matrix not excee
	violation.	Notes
	Adjustment \$7,500	100
60.5		
\$2,50		
		lation Events
	Violation Events 3 186 Number of violation days	Number o
	/iolation Events 3	Number o
	daily	Number o
\$7.5	daily	
\$7,5	daily monthly	Number o mark only with an
\$7,5	daily monthly quarterly x Violation Base Penalty semiannual annual	mark only o
\$7,5	daily monthly quarterly x Violation Base Penalty semiannual	mark only o
\$7,5	daily monthly Violation Base Penalty semiannual annual single event	mark only o with an 2
\$7,5	daily monthly quarterly x Violation Base Penalty semiannual annual	mark only o with an 2
\$7,5	daily monthly quarterly x violation Base Penalty guarterly event quarterly events are recommended based on Turbines 2B-103 and 2B-102 tests being successfully conducted on April 20, 2006, and November 14, 2006, respectively.	mark only o with an : Thre
\$7,5 ¹	daily monthly quarterly x violation Base Penalty guarterly event quarterly events are recommended based on Turbines 2B-103 and 2B-102 tests being successfully conducted on April 20, 2006, and November 14, 2006, respectively.	mark only o with an 2

	Е	conomic	Benefit W	orks	heet		
		Tire & Rubber Con	npany				
Case ID No.						and the second	
Reg. Ent. Reference No.							
	Air Quality					Percent Interest	Years of
Violation No.	5						Depreciation
1877-1976						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$						
	Nin serial e		1 N. C				
Delayed Costs							
Equipment				0,0	\$0	\$0	\$0
Buildings				0,0	\$0	\$0	\$0
Other (as needed)				0,0	\$0	\$0	\$0
Engineering/construction				0,0	\$0 \$0	\$0 n/a	\$0 \$0
Land	\$1,000	29-Sep-2006	14-Nov-2006	0,0	\$0 \$6	n/a n/a	\$6 \$6
Turbine 2B-102 Test Turbine 3B-103 Test	\$1,000	1-Dec-2005	20-Apr-2006	0.4	\$19	n/a	\$19
Remediation/Disposal	\$1,000	1-060-2000	20-Apr-2000	0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0
Notes for DELAYED costs Avoided Costs			final dates were	the date	es of the re-tests.	were the dates of o	
Avolued Costs Disposal	ANIN	II	ed costa perore e	0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]			Big. 1	0.0	\$0	\$0	\$ 0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Notes for AVOIDED costs							
Notes for AVOIDED costs							
Notes for AVOIDED costs							
Notes for AVOIDED costs				1			
Notes for AVOIDED costs Approx. Cost of Compliance		\$2,000			TOTAL		\$25

PCW	4-Jan-2007 Docket No. 2007-0023-AIR-E	Screening Date
vision 2 (September 2002		
Revision December 8, 2000		Case ID No.
		Reg. Ent. Reference No.
		Media [Statute]
		Enf. Coordinator
		Violation Number
	30 Tex. Admin. Code §§ 113.260 and 122.143(4), FOP No. 1593, GT&C and SC 1D, and Tex. Health & Safety Code § 382.085(b)	Rule Cite(s)
	Failed to conduct quarterly sampling at a cooling tower. No quarterly sampling was conducted at the 3U-301H Cooling Tower for the June 1, 2006 through August 31, 2006 quarter, as reported on the semiannual deviation report for the period ending October 19, 2006.	Violation Description
\$10,00	Base Penalty	
	and Human Health Matrix Harm	> Environmental, Property a
		Release
		OR Actual Potential
	Major Moderate Minor	Programmatic Matrix Falsification
	Major Moderate Minor Percent 0%	raisilication
		<u> </u>
	Ith or the environment will or could be exposed to significant amounts of pollutants which	Human hea
	ceed levels that are protective of human health or the environmental receptors as a result	Matrix would not exi
	of the violation.	Notes
'		<u> </u>
	Adjustment \$7,500	
\$2,50		•
		olation Events
	plation Events 1 * 1 Number of violation days	Number of Vi
	oration Events	Number of Vio
	daily	
	monthly	
\$2,5	quarterly Violation Base Penalty	mark only one
	semiannual	with an x
	annual	
	single event .	
	One quarterly event is recommended.	
	is violation Statutory Limit Test	conomic Benefit (EB) for th
\$6,47	d EB Amount \$27 Violation Final Penalty Total	Estimate
\$6,47	This violation Final Assessed Penalty (adjusted for limits)	•
⊕(1. ~+ /		

Item Cost Date Required Final Date Yrs Interest Saved Onetime Costs				Benefit W	OINSI	IUUL		
Reg. Ent. Reference No. Media Air Quality Violation No. 6			ire & Rubber Com	pany		s right.	#4 (
Media Air Quality Violation No. 6						*	risi si e da	and a
Violation No. 6						134	Percent Interest	Years of
Item Cost Date Required Final Date Yrs Interest Saved Onetime Costs	Violation No. 6	3				1111		Depreciation
Delayed Costs							5.0	15
Delayed Costs Equipment			Date Required	Final Date	Yrs II	nterest Saved	Onetime Costs	EB Amount
Equipment Buildings	Item Description	No commas or \$						
Buildings Dither (as needed) Ditter (as neede	Delayed Costs_				_			
Other (as needed)	Equipment							\$0
Engineering/construction								\$0 \$0
Land								\$0
Training/Sampling \$500				Particulações factorismos sec				\$0
Remédiation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs AVOIDED AVOIDED AVOIDED AVOIDED Bisposal Personnel Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	Turbine 2B-102 Test							\$0
Permit Costs Other (as needed) Notes for DELAYED costs Estimated costs of training to properly monitor the cooling tower quarterly; the date required is the quarterly period; the final date is the estimated date of training completion AVOICE COSTS ANNUALIZE [1] avoided costs before entering item (except for one-time avoided personnel person		\$500	1-Jun-2006	1-Jul-2007				\$27
Notes for DELAYED costs Cost		500000000000000000000000000000000000000						\$0 \$0
Notes for DELAYED costs Estimated costs of training to properly monitor the cooling tower quarterly; the date required is the quarterly period; the final date is the estimated date of training completion Avoided Costs ANNUALIZE [1] avoided costs before entering item (except for one-time avoided personnel 0.0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0								\$0
the quarterly period; the final date is the estimated date of training completion Avoided Costs ANNUALIZE [1] avoided costs before entering item (except for one-time avoided by the final date is the estimated date of training completion								
Avoided Costs	Notes for DELAYED costs	Estimated cost	s of training to pro	perly monitor the	cooling to	wer quarterly; th	e date required is the	he beginning of
Disposal Personnel Disposal Personnel Disposal Disposa			the quarterly per	lod; the final date	e is the estir	nated date of tr	aining completion,	
Disposal Personnel Disposal Personnel Disposal Disposa	Avoided Ceets	ANNI	IALIZE (1) avoide	d costs before (entering its	m (except for	one-time avoided	costs)
Personnel		7.3.416						\$0
Supplies(equipment	Personnel							\$0
Financial Assurance 2								\$0 \$0
ONE-TIME avoided costs [3] 0.0 \$0 \$0								\$0 \$0
				600 20 22 23 23 23 23 23 23 23 23 23 23 23 23				\$0
Other (as needed) 0,0 \$0 \$0					0,0	\$0	\$0	\$0
	Other (as needed)							
Notes for AVOIDED costs	Other (as needed)							
							.e.c.p.acusen.epppopp.0000000000000000000000000000000	
	Other (as needed) Notes for AVOIDED costs							
Approx, Cost of Compliance \$500 TOTAL								. 31156

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Screening Date 4-Jan-2007 Docket No. 2007-0023-AIR-E	PCW
Respondent The Goodyear Tire & Rubber Company	Policy Revision 2 (September 2002)
Case ID No. 32115	PCW Revision December 8, 2006
Reg. Ent. Reference No. RN102561925	***************************************
Media [Statute] Air Quality Enf. Coordinator Trina Grieco	***************************************
Violation Number 7	
Rule Cite(s) 30 Tex. Admin. Code §§ 113,260 and 122,143(4), FOP No. 1593, GT&C	and SC 1D,
and Tex. Health & Safety Code § 382.085(b)	
Failed to report a flare outage. A May 29, 2006, flame outage on Flare 3Q	
Violation Description reported on the Semi-Annual Maximum Achievable Control Technology	
("MACT U") Report for the December 1, 2005 to June 1, 2006 period as	required
· · · · · · · · · · · · · · · · · · ·	Base Penalty \$10,000
>> Environmental, Property and Human Health Matrix	
Harm	M.A.W.
Release Major Moderate Minor	
OR Actual Part Control	
Potential Percent C	<u>1%</u>
>>Programmatic Matrix	
Falsification Major Moderate Minor	
	<u>%</u>
Matrix 70% or more of the rule was mot	
Notes 70% or more of the rule was met.	
	#22993999999999999
Adjustment	\$9,900
	\$100
	<u> </u>
Violation Events	
1 Number of violation	n days
- Hamber of Holdier	, adjo
daily.	·
monthly	
	Base Penalty \$100
semiannual annual	
single event x	
One single event is recommended.	
Economic Benefit (EB) for this violation Statutory Limit	Test
Estimated EB Amount \$25 Violation Final	Penalty Total \$259
This violation Final Assessed Penalty (adjus	

	E	conomic E	Benefit W	orksh'	eet	i.	77.4
Respondent	The Goodyear ⁻	Tire & Rubber Comp	oany				
Case ID No.	32115						
Reg. Ent. Reference No.	RN102561925						
Media	Air Quality					Percent Interest	Years of
Violation No.	7					1 CICCIII IIIICICOL	Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs Ir	terest Saved	Onetime Costs	EB Amount
Ham Dagarlation		Data Raquilla	, ,,,,,				
Item Description	No commas or a						
D-1104							
Delayed Costs Equipment		ı T		0.0	\$ 0	\$0	\$0
Equipment Buildings				0.0	\$O	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land		420 - 4 - 60 - 5 - 50 - 6		0.0	\$0	n/a	\$0
Record Keeping System				0,0	\$0	n/a	\$0
Training/Sampling	0.344			0,0	\$0	n/a	\$0
Remediation/Disposal	0.000			0.0	\$0	n/a	\$0
Permit Costs				0,0	\$0	n/a	\$0
Other (as needed)	\$500	1-Jul-2006	1-Jul-2007	1.0	\$25	n/a	\$25
N. (DELAVED	Estimated cos	ts of correcting MAC	CT U report; the	date require	od is the date re	port originally due;	the final date is
Notes for DELAYED costs			the estima	ted date of	correction.		
Avoided Costs	ANN	UALIZE [1] avoided	d costs before e	ntering Ite		one-time avoided o	
Disposal				0,0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0,0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0 80	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0 \$0	\$0 \$0	\$0 \$0
Other (as needed)		<u> </u>		<u>JI U.U. I</u>	<u> </u>	1 ΦU	<u> </u>
j							
Notes for AVOIDED costs							
	1						
Approx. Cost of Compliance		\$500			TOTAL		\$25
Approx. Coat of Compilation	1	φουσ		. 600	ICIAL	L	
L	······································	***************************************		est conserved to the second to	etranto-receserarion dimensione consession		

TABLE ONE - THE GOODYEAR TIRE & RUBBER COMPANY - Docket No. 2007-0023-AIR-E

Violation 4: Open-Ended Lines (Repaired/Replaced)

			Components
PARTS/UNITS	DATES	QUANTITY	Components
280FPR1/280F	2/17-3/29/05	20	Missing plugs
2001 1 1(1)2001	3/30-4/7/05	1 1	Missing cap
	2/21/2005	1	Missing cap Missing flange bolts
		-	
	6/15/2005	4	Missing plugs
	12/6/2005	1	Missing plug
	1/20/2006	2	Missing plugs
	5/1/2006	1	Missing plug
230FPR1/230F	3/1/2005	1	Missing cap
230111(1/2301	3/1/2005	1 1	Missing plug
		1 1	Missing plug
	4/4/2005	. '	Missing plug
130F/130FREGV/130FNSPS	10/27-28/04	1	Missing plug
	1/10/2005	1	Missing plug
	1/12-13/05	1	Missing plug
	1/13-14/05	1	Missing plug
	1/18-19/05	1	Missing plug
	7/8/2005	2	Missing plugs
·	8/1/2005	3	Missing plugs and cap
	4/6-4/19/06	1	open ended line
			Missing plugs
	4/20/2006	2	
	7/19/2006	1	Missing plug
	9/26-27/06	1	Missing plug
	10/12-13/06	2	Missing plugs
330F	2/28/2005	2	Missing plug & cap
470F	2/7-8/05	2	Missing plugs on 6F511& 514
			Missing plugs on Pumps 7G2101D &
370F	1/26-27/05	2	7M3001D
3. 3.			Missing caps on Pump 7G3302 & Steam 11
	1/26-27/05	2	Sample Board
	2/8-4/20/05	2	Missing plugs
		1	Missing plug on Pump 7G3103A
	4/6/2005	•	• • • •
	4/7/2005	1	Missing cap on Stream 11 Sample Board
	4/7/2005	2	Missing plugs on 7D301C & 7M3001E
	7/15/2005	2	Missing plugs
	7/21/2005	1	Missing plug
116F-BH	4/6/2005	1	Missing plug on North side of B-104 Boiler
	7/6/2005	1	Missing plug South of E-204
TOTAL		69	

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Compliance History

Classification: AVERAGE Rating: 3.24 Customer/Respondent/Owner-Operator: CN600616049 The Goodyear Tire & Rubber Company Site Rating: 10.56 RN102561925 **GOODYEAR TIRE & RUBBER** Classification: AVERAGE Regulated Entity: BEAUMONT CHEMICAL PLANT TXD008077190 ID Number(s): INDUSTRIAL AND HAZARDOUS WASTE EPA ID **GENERATION** INDUSTRIAL AND HAZARDOUS WASTE SOLID WASTE REGISTRATION # 30012 **GENERATION** (SWR) PERMIT 50379 INDUSTRIAL AND HAZARDOUS WASTE STORAGE 1040 AIR NEW SOURCE PERMITS PERMIT 3522 AIR NEW SOURCE PERMITS **PERMIT** AIR NEW SOURCE PERMITS **PERMIT** 7858 9481 AIR NEW SOURCE PERMITS PERMIT AIR NEW SOURCE PERMITS PERMIT 15198 AIR NEW SOURCE PERMITS **PERMIT** 15501 AIR NEW SOURCE PERMITS **PERMIT** 16052 20040 AIR NEW SOURCE PERMITS PERMIT AIR NEW SOURCE PERMITS 22110 PERMIT AIR NEW SOURCE PERMITS **PERMIT** 32349 AIR NEW SOURCE PERMITS **PERMIT** 35402 **PERMIT** 38755 AIR NEW SOURCE PERMITS **PERMIT** 39089 AIR NEW SOURCE PERMITS 44284 AIR NEW SOURCE PERMITS PERMIT AIR NEW SOURCE PERMITS **PERMIT** 45078 47289 AIR NEW SOURCE PERMITS PERMIT **PERMIT** 48286 AIR NEW SOURCE PERMITS 47218 AIR NEW SOURCE PERMITS PERMIT AIR NEW SOURCE PERMITS **PERMIT** 49684 49769 PERMIT AIR NEW SOURCE PERMITS AIR NEW SOURCE PERMITS **PERMIT** 50003 AIR NEW SOURCE PERMITS PERMIT 50166 50108 AIR NEW SOURCE PERMITS PERMIT PERMIT 50257 AIR NEW SOURCE PERMITS JE0039N AIR NEW SOURCE PERMITS ACCOUNT NUMBER AIR NEW SOURCE PERMITS **PERMIT** 51694 AIR NEW SOURCE PERMITS PERMIT 53698 REGISTRATION 72058 AIR NEW SOURCE PERMITS 72103 AIR NEW SOURCE PERMITS REGISTRATION AIR NEW SOURCE PERMITS **PERMIT** 55427 REGISTRATION 75848 AIR NEW SOURCE PERMITS AFS NUM 0016 AIR NEW SOURCE PERMITS 56840 AIR NEW SOURCE PERMITS REGISTRATION AIR NEW SOURCE PERMITS REGISTRATION 70115 REGISTRATION 70230 AIR NEW SOURCE PERMITS **PERMIT** 70645 AIR NEW SOURCE PERMITS REGISTRATION 70684 AIR NEW SOURCE PERMITS AIR NEW SOURCE PERMITS **PERMIT** 56478 PERMIT 52770 AIR NEW SOURCE PERMITS AIR NEW SOURCE PERMITS PERMIT 52545 **PERMIT** 52447 AIR NEW SOURCE PERMITS AIR NEW SOURCE PERMITS PERMIT 54372 PERMIT 50664 AIR NEW SOURCE PERMITS PERMIT 53063 AIR NEW SOURCE PERMITS 53927 AIR NEW SOURCE PERMITS PERMIT AIR NEW SOURCE PERMITS PERMIT 53364 53791 PERMIT AIR NEW SOURCE PERMITS AIR NEW SOURCE PERMITS **PERMIT** 51600 AIR NEW SOURCE PERMITS PERMIT 53766 REGISTRATION 73651 AIR NEW SOURCE PERMITS AIR NEW SOURCE PERMITS REGISTRATION 74015 REGISTRATION 74991 AIR NEW SOURCE PERMITS AIR NEW SOURCE PERMITS REGISTRATION 75152 AIR NEW SOURCE PERMITS REGISTRATION 76700 AIR NEW SOURCE PERMITS REGISTRATION 70810 AIR NEW SOURCE PERMITS REGISTRATION 77192

AIR NEW SOURCE PERMITS REGISTRATION 77850 AIR NEW SOURCE PERMITS REGISTRATION 78238 AIR NEW SOURCE PERMITS REGISTRATION 79310 AIR NEW SOURCE PERMITS REGISTRATION 80196 WASTEWATER PERMIT WQ0000519000

WASTEWATER PERMIT WASTEWATER PERMIT ACCOUNT NUMBER

AIR OPERATING PERMITS JE0039N AIR OPERATING PERMITS PERMIT 1593 AIR OPERATING PERMITS **PERMIT** 2294

Yes

WASTEWATER LICENSING LICENSE WQ0000519000

11241 IH 10, BEAUMONT, TX, 77713

Rating Date: September 01 06 Repeat Violator: NO

TPDES0005061

TX0005061

TCEQ Region: **REGION 10 - BEAUMONT**

Location:

Date Compliance History Prepared: January 03, 2007

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: January 03, 2002 to January 03, 2007

TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History

Name: John Barry Phone: (409) 899-8781

Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period?

2. Has there been a (known) change in ownership of the site during the compliance period?

3. If Yes, who is the current owner? N/A

4. if Yes, who was/were the prior owner(s)? N/A

5. When did the change(s) in ownership occur? N/A

Components (Multimedia) for the Site:

Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.

ADMINORDER 2005-2074-AIR-E Effective Date: 07/14/2006

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to submit initial notification within 24 hours from the discovery date for a reportable

emissions event

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)

30 TAC Chapter 116, SubChapter B 116,115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rgmt Prov: 22110, Special Condition 1 PERMIT

Description: Failed to maintain a solenoid on the water valve causing the flare to blow out which caused release

of emissions that exceeded permit limits

Classification: Moderate

30 TAC Chapter 111, SubChapter A 111.111(a)(8)[G] Citation:

5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to maintain visible emissions below the 30 percent opacity limit, for any six-minute period.

ADMINORDER 2002-0879-AIR-E

WAS CONTRACTOR STAN

Effective Date: 03/31/2003 Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rgmt Prov: SC3A PERMIT

Description: Failure to comply with permitted nitrogen oxide emission limits.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter F 116.615(2)

30 TAC Chapter 117, SubChapter B 117.205(f)(1)

5C THC Chapter 382, SubChapter A 382.085(b)

Rgmt Prov: Not specified PERMIT

Description: Failure to comply with permitted nitrogen oxide and carbon monoxide emission limits.

Classification: Moderate

Citation:

30 TAC Chapter 101, SubChapter A 101.20(1)

30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 116, SubChapter B 116,115(c)

40 CFR Part 60, Subpart Db 60.48b(c) 40 CFR Part 60, Subpart Db 60.48b(e)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Not specified PERMIT

SC13 PERMIT

Description: Failure to record NOx CEMS emissions data.

Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rgmt Prov: Not specified PERMIT

SC14C PERMIT

SC14D PERMIT

Description: Failure to perform stack sampling to establish the actual pattern and quantities of air contaminants

being emitted into the atmosphere.

Classification: Moderate

Citation:

5C THC Chapter 382, SubChapter A 382.085(a)

Description: Failure to prevent unauthorized emissions from entering the atmosphere.

Classification: Moderate

Citation:

5C THC Chapter 382, SubChapter A 382.085(a)

Description: Failure to prevent unauthorized emissions from entering the atmosphere.

Effective Date: 01/30/2005

ADMINORDER 2004-0393-AIR-E

Classification: Moderate

5C THC Chapter 382, SubChapter A 382.085(a)

Description: Failure to prevent the emission of an air contaminant that will contribute to air pollution.

Effective Date: 01/26/2006

ADMINORDER 2005-0676-AIR-E

Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter B 116.110(a)(1) 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)

30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b)

Rgmt Prov: MAERT OP

MAERT PERMIT

Description: Failed to maintain emission rates below allowable limit and failed to prevent unauthorized emissions.

Classification: Minor

Citation:

30 TAC Chapter 101, SubChapter F 101.201(a)(2)(D) 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(E)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to include all required information on the initial report of an emission event

Classification: Minor

Citation:

30 TAC Chapter 101, SubChapter F 101,201(b)(4)

30 TAC Chapter 101, SubChapter F 101.201(b)(5)

30 TAC Chapter 101, SubChapter F 101.201(b)(8) 5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to include all required information on the final reports for emission events.

Classification: Minor

Citation:

30 TAC Chapter 101, SubChapter F 101.211(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to properly report to the regional office a maintenance activity which occurred July 6-9, 2004.

Classification: Minor

Citation:

30 TAC Chapter 106, SubChapter U 106.476

5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to meet the conditions of a Permit By Rule and prevent unauthorized emissions.

Effective Date: 05/09/2005

ADMINORDER 2004-0802-AIR-E

Classification: Moderate

5C THC Chapter 382, SubChapter A 382,085(a) Citation:

Description: Failure to maintain an emission rate below the allowable emission limit at the 840 Reactor Unit on

January 19, 2003.

Classification: Moderate

5C THC Chapter 382, SubChapter A 382.085(a)

Description: Failure to maintain an emission rate below the allowable emission limit at the Natsyn Unit on February

3, 2003.

Classification: Moderate

5C THC Chapter 382, SubChapter A 382.085(a)

Description: Failure to maintain an emission rate below the allowable emission limit at the 880 Unit on February 26,

17.74 (4).

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Classification: Moderate

5C THC Chapter 382, SubChapter A 382.085(a)

Description: Failure to maintain an emission rate below the allowable emission limit at the 840 Unit on April 15,

2003.

Classification: Moderate

5C THC Chapter 382, SubChapter A 382.085(a)

Description: Failure to maintain an emission rate below the allowable emission limit at the 880 Budene Unit on May

30, 2003.

Classification: Moderate

5C THC Chapter 382, SubChapter A 382.085(a)

Description: Failure to maintain an emission rate below the allowable emission limit at the Utilities area on July 14-

15, 2003.

Classification: Moderate

5C THC Chapter 382, SubChapter A 382,085(a)

Description: Failure to maintain an emission rate below the allowable emission limit at the 840 Tiba Tank Farm on

October 17, 2003.

Classification: Moderate

5C THC Chapter 382, SubChapter A 382.085(a)

Description: Failure to maintain an emission rate below the allowable emission limit at the 870 Unit on November

22, 2003,

Classification: Moderate

5C THC Chapter 382, SubChapter A 382.085(a)

Description: Failure to maintain an emission rate below the allowable emission limit at the Unit 821 Old Loading

Rack on August 31, 2003, November 6, 2003, January 7, 2004, and January 25, 2004.

Classification: Moderate

Citation:

5C THC Chapter 382, SubChapter A 382,085(a)

Description: Failure to maintain an emission rate below the allowable emission limit at the 840 Unit on February 2,

2004.

Classification: Moderate

Citation: 5C THC Chapter 382, SubChapter A 382.085(a)

Description: Failure to maintain an emission rate below the allowable emission limit at the 870 Unit on February 2,

2004.

Classification: Moderate

30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)

30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rgmt Prov: 9481 PERMIT

Description: Failure to maintain an emission rate below the allowable emission limit at the Crumb Tank Vent

Condenser from January 1, 2002 to February 19, 2003.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)

30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rgmt Prov: 38755 and N016 PERMIT

Description: Failure to maintain an emission rate below the allowable emission limit at the 850 Unit on March 2,

2003.

Classification: Moderate

Citation: 30

30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)

30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rgmt Prov: 38755 and N016 PERMIT

Description: Failure to maintain an emission rate below the allowable emission limit at the 850 Unit on May 31,

2003.

Classification: Moderate

Citation:

30 TAC Chapter 106, SubChapter K 106.262(2)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to maintain an emission rate below the allowable emission limit at the 850 Finishing Building on

January 12-13, 2003, April 16-17, 2003, May 4-5, 2003, July 25-31, 2003, and September 19-20, 2003.

Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)

30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rgmt Prov: 9481, SC 1 PERMIT

9481, SC 5B PERMIT

Description: Failure to maintain an emission rate below the allowable emission limit at the 840 Budene Unit on

October 1, 2003.

Classification: Moderate

Citation:

5C THC Chapter 382, SubChapter A 382.085(a)

Description: Failure to maintain an emission rate below the allowable emission limit at the 870 Unit on October 25,

2003.

Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)

30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 38755 and N016 PERMIT

Description: Failure to maintain an emission rate below the allowable emission limit at the Budene 850 Unit on

December 1, 2003.

Classification: Moderate

Gladdingalioni Modoral

5C THC Chapter 382, SubChapter A 382.085(a)

Description: Failure to maintain an emission rate below the allowable emission limit at the 840 Budene Unit pipe

rack on January 9, 2004.

Classification: Moderate

Citation:

5C THC Chapter 382, SubChapter A 382.085(a)

Description: Failure to maintain an emission rate below the allowable emission limit at the 870 Unit on January 11,

2004.

Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)

30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 1040, SC 1 PERMIT

1040, SC 3 PERMIT

22110, SC 1 PERMIT 22110, SC 4B PERMIT

Description: Failure to maintain an emission rate below the allowable emission limit at the 870 Unit on February 2-

3, 2004.

Effective Date: 10/24/2005

ADMINORDER 2005-0124-AIR-E

Classification: Moderate

Citation:

30 TAC Chapter 116, SubChapter B 116.110(a)[G] 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to obtain a permit prior to the release of emissions.

B. Any criminal convictions of the state of Texas and the federal government.

N/A

C. Chronic excessive emissions events.

N/A

D. The approval dates of investigations. (CCEDS Inv. Track. No.)

1 01/11/2002 (129614)2 08/27/2002 (8432)3 02/07/2003 (19387)4 10/15/2002 (12553)5 10/31/2003 (253397)6 11/21/2002 (16333)7 08/25/2003 (295295)8 10/04/2004 (336372)

9 10/20/2004 (292090) 10 12/30/2003 (258239) 11 03/23/2005 (351195)

12 02/22/2006 (468357) 13 08/30/2005 (401255) 14 03/27/2003 (26346)

15 09/22/2003 (295298) 16 01/07/2004 (259027)

17 03/13/2006 (468358)

18 12/20/2006 (533147) 19 12/20/2006 (519278)

20 04/17/2006 (468359)

21 02/25/2002 (157863)

22 07/27/2004 (352027)

23 11/28/2005 (468360) 24 03/30/2004 (264485)

25 01/13/2003 (19863)

26 02/26/2003 (157864) 27 05/31/2005 (393287)

28 12/21/2005 (468361)

29 10/24/2003 (295300) 30 02/28/2006 (455554)

31 01/27/2006 (468362)

32 01/11/2002 (138145) 33 11/21/2003 (295301)

34 01/11/2002 (138144) 35 08/26/2004 (352028)

35 08/26/2004 (352028) 36 03/26/2002 (157866)

37 12/29/2003 (295302)

38 12/30/2003 (258248)

39 03/31/2003 (157867)

40 01/26/2004 (295303) 41 05/04/2006 (461223)

41 05/04/2006 (461223) 42 05/05/2006 (458334)

43 05/04/2006 (461197)

44 08/16/2006 (520161) 45 08/20/2002 (4138)

46 09/14/2006 (520162) 47 09/20/2004 (352029)

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48 04/22/2002
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49 10/12/2006
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50
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                 (157872)
51 09/15/2006
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52 07/30/2004
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53 02/10/2006
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54
   10/20/2004
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   06/03/2005
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   05/05/2006
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   06/03/2005
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59
   05/20/2004
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   05/28/2002
60
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61 05/23/2003
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62 05/31/2005
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   05/05/2006
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63
64
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   02/28/2006
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66
67
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    06/26/2003
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    03/23/2005
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75 06/16/2005
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79
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80
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81
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82 07/23/2002
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83 06/21/2005
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84 08/17/2004
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85 10/17/2003
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86 02/26/2003
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87 07/26/2004
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88 12/18/2002
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89 12/29/2003
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90 11/15/2005
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91 08/22/2003
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92 12/16/2005
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93 08/26/2002
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94 01/09/2005
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95 07/26/2004
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97 03/23/2005
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98 06/03/2005
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106 08/23/2005
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    09/19/2005
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117 11/25/2002
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118 08/31/2005
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119 12/27/2004
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120 06/16/2005
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121 11/16/2006
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122 10/15/2002
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126 05/31/2005
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127 01/13/2003
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129 01/23/2002
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130 05/01/2006
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131 01/11/2002
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132 06/22/2004
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133 03/26/2004
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135 01/30/2004
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136 02/25/2005
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137 12/20/2006
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138 08/30/2005
                   (406353)
139 01/27/2003
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140 03/21/2005
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141 04/22/2004
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142 05/17/2006
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143 12/29/2003
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144 06/19/2006
                   (498151)
145 12/18/2002
                   (18780)
146 02/28/2006
                   (455901)
147 11/30/2004
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148 07/18/2006
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149 10/29/2006
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150 12/20/2004
                   (381824)
151 01/13/2003
                   (19852)
152 11/10/2004
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153 01/26/2005
                   (381825)
154 02/24/2005
                   (345426)
155 05/25/2004
                   (295290)
156 05/04/2006
                   (461228)
157 06/22/2004
                   (295292)
158 08/09/2004
                   (277706)
159 07/31/2006
                   (489267)
160 03/24/2006
                   (452002)
161 01/11/2002
                   (129615)
                   (351066)
162 03/23/2005
163 03/14/2006
                   (453724)
```

E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)

Date: 01/31/2006 (468357)

Self Report? YES Classification: Moderate

21 1 434

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26 26.121(a)[G]

Description: Failure to meet the limit for one or more permit parameter

Date: 02/28/2003 (157867)

Self Report? YES Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26 26.121(a)[G]

Description: Failure to meet the limit for one or more permit parameter

Date: 07/31/2004 (352028)

Self Report? YES Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26 26.121(a)[G]

Description: Failure to meet the limit for one or more permit parameter

Date: 07/31/2006 (520161)

Self Report? YES Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26 26.121(a)[G]

Description: Failure to meet the limit for one or more permit parameter

Date: 06/30/2003 (157884)

Self Report? YES Classification: Moderate

Citation:

30 TAC Chapter 305, SubChapter F 305.125(1)

TWC Chapter 26 26.121(a)[G]

Description:

Failure to meet the limit for one or more permit parameter

Date: 05/29/2003

(246539)

(246538)

Self Report? NO

Classification: Moderate

Citation: Description:

30 TAC Chapter 305, SubChapter F 305.125(1) NON-RPT VIOS FOR MONIT PER OR PIPE

Date: 02/07/2002

Self Report? NO

Classification: Moderate

Citation: Description: 30 TAC Chapter 305, SubChapter F 305.125(1) NON-RPT VIOS FOR MONIT PER OR PIPE

Date: 08/22/2003

(134113)

Self Report? NO

Classification: Moderate

Rgmt Prov:

OP IA

Description:

Failure by Goodyear Beaumont Chemical Plant to prevent the unauthorized

discharge of wastewater.

Self Report? NO

Classification: Moderate

Rgmt Prov:

OP IA

OP IA

Description:

Failure by Goodyear Beaumont Chemical Plant to prevent the discharge of foam and

floating solids in other than trace amounts.

Self Report? NO

Classification: Minor

Rgmt Prov:

Description:

Failure by Goodyear Beaumont Chemical Plant to ensure that test procedures for the

analysis of pollutants comply with procedures specified in 30 TAC 319.11-319.12.

Self Report? NO

Classification: Moderate

Ramt Prov:

OP IA

OP IA

Description:

Failure by Goodyear Beaumont Chemical Plant to prevent the unauthorized

discharge of wastewater.

Self Report? NO

Classification: Moderate

Rqmt Prov:

Description:

Failure by Goodyear Beaumont Chemical Plant to prevent the unauthorized

discharge of wastewater.

Self Report? NO

Classification: Moderate

Citation:

Ramt Prov:

Description:

Failure by Beaumont Chemical Plant to prevent the unauthorized discharge of

Date: 08/06/2004

wastewater. (274526)

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 113, SubChapter C 113.260

30 TAC Chapter 305, SubChapter F 305.125(1)

30 TAC Chapter 116, SubChapter B 116.115(c)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(c)(2)

5C THC Chapter 382, SubChapter A 382.085(b)

Rgmt Prov:

PERMIT IA

Description:

Failure to perform a first attempt at repair within 5 calendar days.

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 113, SubChapter C 113.260

30 TAC Chapter 116, SubChapter B 116.115(c)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)

5C THC Chapter 382, SubChapter A 382.085(b)

Rgmt Prov:

Failure to properly seal the end of a line containing Hazardous Air Pollutants (HAPs). Description:

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 113, SubChapter C 113.260

30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)

5C THC Chapter 382, SubChapter A 382,085(b)

Ramt Prov:

OP IA

PERMIT IA

Description:

Failure to properly seal the end of a line containing HAPs.

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 113, SubChapter C 113.260 30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(d)

5C THC Chapter 382, SubChapter A 382.085(b)

Rgmt Prov:

OP IA

PERMIT IA

Description:

Failure to comply with the 5 and 15 day requirements for 3 leaking connectors.

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 113, SubChapter C 113.260 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182(d)

5C THC Chapter 382, SubChapter A 382.085(b)

Rgmt Prov:

OP IA

PERMIT IA

(449822)

Description:

Failure to submit the 40 CFR 63, Subpart U, Periodic Reports in a timely manner.

Date: 02/10/2006

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THC Chapter 382, SubChapter A 382.085(b)

Rgmt Prov:

Description:

Failure to complete the daily notation of the flare operation log for at least 98% of the

required observations.

Date: 04/04/2002

(141006)

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 305, SubChapter F 305.125(1) 30 TAC Chapter 305, SubChapter F 305.125(18)

Description:

Failure to submit 9th Report of Progress.

(381822)

(381824)

Date: 02/28/2005 Self Report? YES

Classification: Moderate

Citation:

30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G]

Description:

Date: 11/30/2004

Failure to meet the limit for one or more permit parameter

Self Report? YES

Classification: Moderate

Citation:

TWC Chapter 26 26.121(a)[G]

Date: 07/10/2002

Description: Failure to meet the limit for one or more permit parameter

30 TAC Chapter 305, SubChapter F 305.125(1)

(4138)

Self Report? NO

Classification: Moderate

Citation:

30 TAC Chapter 113, SubChapter C 113.260

30 TAC Chapter 115, SubChapter D 115.352(2)

Description:

Failure to repair nine leaking, fugitive components within fifteen calendar days after

they were detected leaking in the 840 and 880 Units.

Date: 05/31/2004 (295292)

Self Report? YES

Classification: Moderate

Citation:

30 TAC Chapter 305, SubChapter F 305.125(1)

Description:

TWC Chapter 26 26.121(a)[G] Failure to meet the limit for one or more permit parameter F. Environmental audits.

N/A

G. Type of environmental management systems (EMSs).

NI/

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN	§	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	TEXAS COMMISSION ON
THE GOODYEAR TIRE & RUBBER	§	
COMPANY	§	ENVIRONMENTAL QUALITY
RN102561925		

AGREED ORDER DOCKET NO. 2007-0023-AIR-E

I. JURISDICTION AND STIPULATIONS

At its ______ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding The Goodyear Tire & Rubber Company ("Goodyear") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and Goodyear appear before the Commission and together stipulate that:

- 1. Goodyear owns and operates a petrochemical manufacturing plant at 11241 Interstate Highway 10 in Beaumont, Jefferson County, Texas (the "Plant").
- 2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
- 3. The Commission and Goodyear agree that the Commission has jurisdiction to enter this Agreed Order, and that Goodyear is subject to the Commission's jurisdiction.
- 4. Goodyear received notice of the violations alleged in Section II ("Allegations") on or about December 25, 2006.
- 5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by Goodyear of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
- 6. An administrative penalty in the amount of One Hundred Two Thousand Five Hundred Sixty-Four Dollars (\$102,564) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). Goodyear has paid Forty-One Thousand Twenty-Six Dollars

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(\$41,026) of the administrative penalty and Twenty Thousand Five Hundred Twelve Dollars (\$20,512) is deferred contingent upon Goodyear's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If Goodyear fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require Goodyear to pay all or part of the deferred penalty. Forty-One Thousand Twenty-Six Dollars (\$41,026) shall be conditionally offset by Goodyear's completion of a Supplemental Environmental Project ("SEP").

- 7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
- 8. The Executive Director of the TCEQ and Goodyear have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
- 9. The Executive Director recognizes that Goodyear has implemented the following corrective measures at the Plant:
 - a. Documentation of removal of extraneous equipment and the rewriting of monthly analysis and sampling procedures to ensure the proper net heating values ("NHV") for Flares 3Q-502, 3O-503, and 3O-504 was submitted on May 18, 2005;
 - b. Properly plugged approximately 69 open-ended lines during the October 20, 2004 to October 19, 2006 period; and
 - c. Successfully re-tested Turbines 2B-103 and 2B-102 on April 20, 2006, and November 14, 2006, respectively.
- 10. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that Goodyear has not complied with one or more of the terms or conditions in this Agreed Order.
- 11. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
- 12. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

As owner and operator of the Plant, Goodyear is alleged to have:

1. Failed to submit the Annual Compliance Certification ("ACC") on time, in violation of 30 TEX. ADMIN. CODE §§ 122.143(4) and 122.146(2), Federal Operating Permit ("FOP") No. 1593, General Terms and Conditions ("GT&C") and TEX. HEALTH & SAFETY CODE § 382.085(b), as

documented during a record review conducted on December 1, 2006. On November 30, 2006, Goodyear submitted the ACC for the October 20, 2005 to October 19, 2006 reporting period 12 days late.

- 2. Failed to operate a flare with a NHV of 300 British Thermal Units ("BTU") per standard cubic foot ("scf") or greater, in violation of 30 Tex. ADMIN. CODE §§ 113.260, 116.115(c), and 122.143(4), Air Permit Nos. 1040, SC 3, 9481, SC 5A, and 22110, SC 4A, FOP No. 1593, GT&C and SC 12A, and Tex. Health & Safety Code § 382.085(b) as documented during a record review conducted on December 1, 2006. The NHV was below 300 BTU/scf on November 30, 2004, and February 28, 2005, for Flare 3Q-503; on February 1, 2005, for Flare 3Q-502; and on March 25, 2005, for Flare 3Q-504.
- 3. Failed to sample the main cooling tower daily, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c), and 122.143(4), Air Permit No. 56473, SC 3, FOP No. 1593, GT&C and SC 12A, and TEX. HEALTH & SAFETY CODE § 382.085(b) as documented during a record review conducted on December 1, 2006. For three days from January 18 to January 20, 2005, Goodyear failed to monitor main cooling tower EPN 116CT-MAIN.
- 4. Failed to seal open-ended lines containing hazardous air pollutants ("HAPS"), in violation of 30 TEX. ADMIN. CODE §§ 113.260, 116.115(c), and 122.143(4), 40 CODE OF FEDERAL REGULATIONS §§ 63.167(a)(1) and 63.502(a), Air Permit Nos. 9481, SC 7E, 22110, SC 5E, and 56473, SC 11E, FOP No. 1593, GT&C, SC 1D and 12A, and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during a record review conducted on December 1, 2006. During the October 20, 2004, to October 19, 2005 period, open-ended valves or lines were not equipped on the following units: 230FPR1, 230F, 280FPR1, 280F, 130F, 130FREGV, 130FNSPS, 330F, 470F, 370F, and 116F-BH and during the October 20, 2005, to October 19, 2006 period, open-ended valves or lines were not equipped on the following units: 130F, 130FREGV, 130FNSPS, 280F, and 280FPRI.
- 5. Failed to maintain a permitted limit during a compliance test, in violation of 30 Tex. ADMIN. CODE §§ 116.115(c), and 122.143(4), Air Permit No. 20040/PSD-TX-801, SC 7, FOP No. 1593, GT&C and SC 12A, and Tex. Health & Safety Code § 382.085(b), as documented during a record review conducted on December 1, 2006. During compliance tests the oxides of nitrogen concentration limit of 25 parts per million ("ppm") was exceeded at the 2B-103 Turbine on December 1, 2005 (28.26 ppm) and at the 2B-102 Turbine on September 29, 2006 (26.07 ppm).
- 6. Failed to conduct quarterly sampling at a cooling tower, in violation of 30 TEX. ADMIN. CODE §§ 113.260 and 122.143(4), FOP No. 1593, GT&C and SC 1D, and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during a record review conducted on December 1, 2006. No quarterly sampling was conducted at the 3U-301H Cooling Tower for the June 1, 2006 through August 31, 2006 quarter, as reported on the semiannual deviation report for the period ending October 19, 2006.
- 7. Failed to report a flare outage, in violation of 30 Tex. ADMIN. CODE §§ 113.260 and 122.143(4), FOP No. 1593, GT&C and SC 1D, and Tex. Health & Safety Code § 382.085(b), as documented during a record review conducted on December 1, 2006. A May 29, 2006, flame outage on Flare 3Q-504 was not reported on the Semi-Annual Maximum Achievable Control

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Technology Subpart U ("MACT U") Report for the December 1, 2005 to June 1, 2006 period as required.

III. DENIALS

Goodyear generally denies each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that Goodyear pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and Goodyear's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations, which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: The Goodyear Tire & Rubber Company, Docket No. 2007-0023-AIR-E" to:

Financial Administration Division, Revenues Section Attention: Cashier's Office, MC 214 Texas Commission on Environmental Quality P.O. Box 13088 Austin, Texas 78711-3088

- 2. Goodyear shall implement and complete a SEP in accordance with TEX. WATER CODE § 7.067. As set forth in Section I, Paragraph 6 above, Forty-One Thousand Twenty-Six Dollars (\$41,026) of the assessed administrative penalty shall be offset with the condition that Goodyear implement the SEP defined in Attachment A, incorporated herein by reference. Goodyear's obligation to pay the conditionally offset portion of the administrative penalty assessed shall be discharged upon final completion of all provisions of the SEP agreement.
- 3. It is further ordered that Goodyear shall undertake the following technical requirements:
 - a. Within 60 days after the effective date of this Agreed Order:
 - i. Complete training to help ensure timely ACC reporting;
 - ii. Complete training to ensure implementing procedures for cooling tower daily and quarterly sampling and monitoring; and
 - iii. Submit correction for the December 1 through June 1, 2006 MACT U report.
 - b. Within 75 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering

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Provision Nos. 3.a.i through 3.a.iii. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team Enforcement Division, MC 149A Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087

with a copy to:

Air Quality Section, Manager Beaumont Regional Office Texas Commission on Environmental Quality 3870 Eastex Freeway Beaumont, Texas 77703-1892

- 4. The provisions of this Agreed Order shall apply to and be binding upon Goodyear. Goodyear is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.
- 5. If Goodyear fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, Goodyear's failure to comply is not a violation of this Agreed Order. Goodyear shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. Goodyear shall notify the Executive Director within seven days after Goodyear becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
- 6. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by Goodyear shall be made in writing to the Executive Director. Extensions are not effective until Goodyear receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.

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- 7. This Agreed Order, issued by the Commission, shall not be admissible against Goodyear in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
- 8. This agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.
- 9. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to Goodyear, or three days after the date on which the Commission mails notice of the Order to Goodyear, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

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SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For me c	OHUILISSION	k

For the Executive Director

10/3/07 Date

I, the undersigned, have read and understand the attached Agreed Order. I am authorized to agree to the attached Agreed Order on behalf of the entity, if any, indicated below my signature, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that my failure to comply with the Ordering Provisions, if any, in this order and/or my failure to timely pay the penalty amount, may result in:

- A negative impact on my compliance history;
- Greater scrutiny of any permit applications submitted by me;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional
 penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions against me;
- Automatic referral to the Attorney General's Office of any future enforcement actions against me,
 and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.

Signature

Date

Brubley E. Iverger

Name (Printed or typed)
Authorized Representative of

The Goodyear Tire & Rubber Company

Plant Monage

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenues Section at the address in Section IV, Paragraph 1 of this Agreed Order.

Surgery From Surgery

Attachment A Docket Number: 2007-0023-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent: The Goodyear Tire & Rubber Company

Penalty Amount: Eighty-Two Thousand Fifty-Two Dollars (\$82,052)

SEP Amount: Forty-One Thousand Twenty-Six Dollars (\$41,026)

Type of SEP: Pre-approved

Third-Party Recipient: Southeast Texas Regional Planning Commission ("SETRPC")

West Port Arthur Home Energy Efficiency Program

Location of SEP: Jefferson County

The Texas Commission on Environmental Quality ("TCEQ") agrees to offset a portion of the administrative Penalty Amount assessed in this Agreed Order for the Respondent to contribute to a Supplemental Environmental Project ("SEP"). The offset is equal to the SEP Amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment A.

1. Project Description

A. Project

The Respondent shall contribute the SEP Amount to the Third-Party Recipient pursuant to the agreement between the Third-Party Recipient and the TCEQ. Specifically, the contribution will be used in accordance with the Supplemental Environmental Project Agreement between SETRPC and the Texas Commission on Environmental Quality for the *West Port Arthur Home Energy Efficiency Program* in Jefferson County. The SETRPC shall use the funds to conduct home energy audits and to assist low income residents in the West Port Arthur area by weatherizing their homes, which will improve their homes' energy efficiency. SEP monies will be used to pay for the cost of caulking and insulating the homes and appliances, as well as for replacing heating and cooling systems and major appliances with new, energy efficient equipment. All dollars contributed will be used solely for the direct cost of the project, and no portion will be spent on administrative costs. The SEP will be done in accordance with all federal, state and local environmental laws and regulations.

The Respondent certifies that there is no prior commitment to do this project and that it is being performed solely in an effort to settle this enforcement action.

B. Environmental Benefit

Implementation of this project will reduce residential fuel and electricity usage for heating and cooling. These reductions, in turn, will reduce emissions of particulate matter (PM), volatile organic compounds (VOC), and nitrogen oxides (NOx) associated with the combustion of fuel and generation of electricity.

The Goodyear Tire & Rubber Company Agreed Order – Attachment A

C. <u>Minimum Expenditure</u>

The Respondent shall contribute at least the SEP Amount to the Third-Party Recipient and comply with all other provisions of this SEP.

2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, the Respondent shall contribute the SEP Amount to the Third-Party Recipient. The Respondent shall mail the contribution, with a copy of the Agreed Order, to:

Bob Dickinson Director, Transportation and Environmental Resources South East Texas Regional Planning Commission 2210 Eastex Freeway Beaumont, TX 77703

3. Records and Reporting

Concurrent with the payment of the SEP Amount, the Respondent shall provide the TCEQ SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP Amount to the Third-Party Recipient. The Respondent shall mail a copy of the check and transmittal letter to:

Enforcement Division Attention: SEP Coordinator, MC 219 Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087

4. Failure to Fully Perform

If the Respondent does not perform its obligations under this SEP in any way, including full payment of the SEP Amount and submittal of the required reporting described in Section 3 above, the Executive Director may require immediate payment of all or part of the SEP Amount.

In the event of incomplete performance, the Respondent shall submit a check for any remaining amount due with the notation "SEP Refund" and the docket number of the case, and shall send it to "Texas Commission on Environmental Quality" and mailed to:

Texas Commission on Environmental Quality Attention: Financial Administration Division Revenues, MC 214 P.O. Box 13088 Austin, Texas 78711-3088

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The Goodyear Tire & Rubber Company Agreed Order – Attachment A

5. Publicity

Any public statements concerning this SEP made by or on behalf of the Respondent must include a clear statement that the project was performed as part of the settlement of an enforcement action brought by the TCEQ. Such statements include advertising, public relations, and press releases.

6. Clean Texas Program

The Respondent shall not include this SEP in any application made to TCEQ under the "Clean Texas" (or any successor) program(s). Similarly, the Respondent may not seek recognition for this contribution in any other state or federal regulatory program.

7. Other SEPs by TCEQ or Other Agencies

The SEP identified in this Agreed Order has not been, and shall not be, included as a SEP for the Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.

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